representative), while among the Shluh Berbers of the Western Atlas and among the Rgaybat Bedouins of the Western Sahara, women can be their own ukilat (fem. pl. of ukil), although they cannot represent other women, as I once saw in Ibuqquyen (West-Central Rif)[66]...Rifian women may visit their families whenever they want to, and, in general, if Berber women are not given the same treatment and value as men are, they do, nonetheless, have certain advantages which derive from their status as minors.....In the Rif, women's markets are an example of this: they are meeting places completely free from men, where transactions take place, where brides are looked for, where amulets are bought and where news of the day is heard and spread. But a woman in the Rif, if she passes a man on a path, must always give him the right of way: she greets him first, lets him have the right of way, and continues on the lower part of the path....Rifian women love their children.

E) Property (fragmentary notes):

In the buying and selling of individual property, the jma'th (used here in the sense of council) did not intervene; the only parties concerned were the buyer, the seller, two 'udul (notaries public) and the qadi, the latter three individuals having to draw up and sign the necessary document. Even in the case of jma'th property[67], the jma'th did not intervene; once again, the 'udul drew up the documents in question....In the event of renting land, in which a document is not needed, the petition is handed to the village mqaddim (headman) who convokes the jma'th and agrees to the conditions. The same applies in case of mortgages....In case the petitioner does not fulfill his

426 part of the bargain, he is reminded to do so by the chief, and if he
686 refuses, they forcibly commit a theft of animals or property, so
627 that his jma'th will hear of it; and they thus oblige him to fulfill
623 his promises or give rise to the intervention of his jma'th, which will force him to start negotiations.

685 The property of thieves is sold as indemnity, and, if they
627 have gone or if this cannot be done, that of their kinsmen is sold, a fine is imposed, and the eyes of the recalcitrant individual are plucked out by a member of his family if he is caught[68].

623 None of the decisions of the jma'th are registered.

F) Social Organization:

1) The jma'th has generally been defined in terms of what it is not. It has been likened to the Roman forum, the Greek agora, and the Scottish clan[69]; and it has been considered the "cornerstone" or the "roof" of the "Berber house". It has been characterized as an administrative unit by some, and as a social, judicial (i.e. jural), religious or military unit by others. Some have taken the number of houses as a base point, others the fact of whether or not it contains a Friday ("cantonal") mosque. The etymology of the word--"assembly, meeting, council, junta"--has also been invoked as a basis for definition, but this, by itself, is also insufficient[70].

623 In my view, the jma'th is the elemental form of the association
621 of neighboring family groups oriented toward essentially economic ends.
[613] The actual number of such groups, whether two today or two hundred tomorrow, and whether occupying thirty or two hundred households, is

671 agree to the abovementioned truce for one year starting from the present
628 date. All of them appeared for judgment in front of the shiyukh of the
613 Wednesday Market (Suq al-Arba') which exists in the vicinity of Sidi
728 Abu al-'Afif; attendance at this act was completely general, as there
[443] also came notables such as the blessed, distinguished and excellent
[686] sharif Sidi Ahmad the son of the celebrated saint Sidi Misa'ud, from whose grace God has let us avail ourselves; al-Hajj Haddu bin Tahir al-'Abbasi; the shiyukh of Ajdir; the shiyukh of the Murabitin al-Jilmamiyin; and all in general; each of the parties arranging that in case either of them should break off the aforementioned truce in any way before the stipulated time of one year has elapsed, it shall pay a fine of 2000 duros (i.e. 20 x 100) to the shiyukh.

671 After responding with their goods and estates to the completed
628 arrangement, it was put into effect in the presence of the aforemen-
613 tioned shiyukh in the latters' shop in the aforementioned market; and it was accepted in full and in good faith, with neither party having the right to retract in either the present or the future, each one of them making itself responsible for the fulfillment of what has been set down and for which only those mentioned here have the responsibility.

(The obligation to) payment (of the fine) and the agreement are both complete, as indicated. (The undersigned witnesses) have testified to the testimonial capacity of everyone concerned, that on this day, in the interior of the aforementioned shop, each person concerned, among those known by sight and name, is of sound mind and memory and thus
[805] capable of testifying. On the first Wednesday of Rabi' al-Awwal of the Prophet, in the year 1335 (December 27, 1916).[11]

B) Commentary:

671 182 We have here a curious (sic) type of qanun, which, as we read it, reveals the decomposition which Rifian society had reached, the atomism to which its tribal anarchy led, the imperfection, or rather, the inefficacy, of its laws, the irregular coexistence, the demonstration of its independence.

628 613 728 The disputes between two lineages of the Aith Waryaghar threaten to exterminate them through the chain of blood-vengeance in the face of the indifferent attitude of their constituents, who are habituated to taking justice into their own hands in order to defend their own interests. Two rival groups of equal size attain, in their ferocious and persistent struggle, an equal number of losses, and they reach a stage of weariness, a moment of lassitude happily exploited in order to initiate a treaty of peace (author's italics), which will permit them to build up their resources; and this fact leads them to establish this agreement for one year. Those who will (686) see to it that the truce is kept are the shiyukh, to whose protection they submit and who are interested in the affair because of the inducement of the fine which the group must pay, if within this minimal space of time it contravenes what has been agreed upon in any way (author's italics).

671 613 628 728 554 This society lacks a strong executive power; it looked instinctively toward the web of lineages represented through its shiyukh or old chiefs (sic) (no one should believe that this title represented a step in any framework of governmental or judicial power) for a force which was neutral to its feuds and more powerful than itself, to which

574 689 (perhaps to deliver their portion of the expenses necessary to maintain the guest), and in case one of them is opposed to going, he shall be fined a goat or one duro.

695 784 693 (Blanco: paragraph f) Valid and complete testimony. Whoever should change or alter this agreement shall answer to God. Both the undersigned notaries know, personally and by name, all the parties who effected the present agreement.

685 312 (Blanco: paragraph g) In case anyone should open a pond or an irrigation ditch (thus letting out the water), he shall be fined one duro for the pond and one mithqal for the irrigation ditch.

686 (Blanco: paragraph h) Regarding the contract with the schoolmaster, if anyone should be opposed (to contributing his share to the scholmaster's annual ration of barley), he shall be fined 10 uqiyyas.

689 (Blanco: paragraph i) If those mentioned earlier in the present agreement should assemble and agree on some useful matter, and if in this case there should be anyone (of the members of the abovementioned jama'a) who is opposed (to carrying it out), he shall be fined one duro.

622 (Blanco: paragraph j) Their shaikh is 'Ali bin Muhammad bin 'Azzuz. Everything that he orders (literally, "says") must be done 693 (literally, "will be"). The parties attending know the value of the present agreement, and in virtue of this, both the undersigned notaries bear witness that they are in a perfect state of legal capacity (i.e. of sound minds and memories) (in order to be able to effect the present 805 agreement) and that they know them. On the first (day) of Safar al-Khair of the year 1285 (May 24, 1868).

000 The slave of God--may He be glorified--Muhammad al-Khattabi and 'Umar bin Muhammad, etc.

by the Spaniards. If anyone fails to turn up to repair a ditch after a storm, the fine he pays goes not to the aquwwam but to his jma'th, who buy sugar and tea with it.

172--"Subclans" may not be strictly accurate here as a translation, but it is better than Blanco's "fractions". Ajdir is, as aforementioned, a community of the subclan of the Aith Ughir Izan of the Aith Yusif w 'Ari, while the Imhawren are a subclan, in their own right, of the Aith 'Ari. The Imrabdhen are an entire clan, but in this instance only those subclansmen of the Lower Imrabdhen contiguous to the Imhawren and Ajdir were involved.

173--The references are to the lineage of the Aith 'Aru Hmid, subclan of the Imhawren, clan of the Aith 'Ari.

174--The Sultan of Morocco at this time was Mawlay 'Abd ar-Rahman ibn Hisham (1822-1859).

175--It is impossible for us to infer today even the clans to which the first three men belonged, much less their lineages, because of the antiquity of the qanun (or, in this case, shahada) in question. However, Muhammad al-'Arusi was probably of the Aith 'Arus or a descendant of someone who had escaped from a feud in that mountain subclan, and 'Abdallah b. Ahmad Amhawil must have been of the Imhawren subclan of the Aith 'Ari.

176--Sriman r-Khattabi of Ajdir, whom the Spaniards made the top qa'id of all the Aith Waryaghar in 1926. He held this position until 1934-35, when, at Blanco's instigation, Waryagharland was divided into three qaidates of equal size. In 1936 he became Pasha of Villa Sanjurjo (al-Husaima), a position he held until his death in 1950.

177--Of the clan of the Aith 'Abdallah, but lineage affiliation is unspecified.

178--Both the qadi and the two 'adul can be identified as being of the clan of the Aith Yusif w 'Ari.

179--In Moroccan Arabic, rayah or siyada are the usual terms for "hunting"; in Rifian, however, the word is dhingmarth, while hunter is angmar, pl. ingmarn. A very summary description of Rifian hunting techniques, as practiced for the most part in the Igzinnayen, and with rifle, net or trap, is in Coon, op. cit., 1931, pp. 37-38; and a summary of Blanco's own data is also contained in R. P. Esteban Ibanez, "El Derecho Consuetudinario en la Sociedad Bereber", Institut International de Sociologie, XVIIIe Congrès, Nuremberg 1958, Sept. 16-17, 1958 (mimeographed).

180--This is not literally true, for like all Moroccan Muslims, Rifians are extremely fond of mutton (or even goat) tajins, or olive-oil based vegetable stews.

181--The distribution of the meat of a dead (or sacrificed) animal is called r-uzi'ath (Ar. l-wuzi'a), and every member of the jma'th is entitled to his share.